

REMARKS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicants regard as the invention.

Turning first to the details of that action, the Abstract of the Disclosure was objected to because, according to the Examiner, it contained legal phraseology. Correction was required. In addition, with regard to claims 1-3, the Examiner took the position that those claims include the words "means for" but that no limitations or details are described by the specification for performing those functions and, therefore, the claims will be given their broadest reasonable interpretation. The Examiner stated in the record that claims 1-3 will not be interpreted as means plus function claims in accordance with In re Donaldson. Further, with regard to claims 4-6, the Examiner took the position that the words "function for" lack support in the specification and thus will not be treated as means plus function claims. Claims 7-9 were rejected under 35 USC § 101 because, according to the Examiner, those claims are directed to non-statutory subject matter. Lastly in the Office action, claims 1-9 were rejected under 35 USC § 103(a) as being unpatentable over US Publication No. 2006/0085282 to Hanai et al. (hereinafter "Hanai").

First, with regard to the Abstract of the Disclosure, applicants have tendered an amendment thereto and a new abstract is presented above. It is respectfully submitted that the new Abstract of the Disclosure adds no new matter to the instant application and, further, does not contain any legal phraseology such as "means" as

was previously object to be the Examiner. It is respectfully submitted that the abstract of the disclosure is in proper form.

Claims 7-9 have been amended above to overcome the rejection under 35 USC § 101. As noted above, those claims were rejected because, according to the Examiner, the claimed invention is directed to non-statutory subject matter. Original claims 7-9 were directed to and recited "a program" which, according to the Examiner, is not statutory subject matter under 35 USC § 101. Accordingly, each of claims 7-9 have been amended above to recite a program stored in a computer readable medium for a combined equipment selection system. These claims are, therefore, now in condition for allowance under 35 USC § 101.

Applicants disagree with the Examiner's positions with regard to claims 1-3 and 4-6, particularly the position regarding claims 1-3 that "no limitations or details are described by the specification for performing the functions" and the position regarding claims 4-6 that "the words 'function for' lack support in the specification" because it is respectfully submitted that the specification does adequately support and describe the claimed inventions. Nevertheless, applicants have tendered amendments to clarify the claimed invention.

Turning next to the art rejections, claims 1-9 were rejected as being unpatentable over Hanai. The Examiner took the position that Hanai teaches each of the elements of the independent claims but does not specifically disclose "a combined equipment selection means for carrying out a selection operation which selects one or more other combined equipment which is different from the service equipment and is suitable for being combined with the service equipment, based on model information and operational conditions of the service equipment entered from

the operations section, and the constant data stored in the constant memory means" included on the user terminal. The Examiner concedes that in the embodiment pictured in Figures 1 and 4 of Hanai, the selection system resides in the server and not in the user terminal. However, the Examiner further took the position that Hanai teaches that the selection system may be included in the user terminal by recording the program onto a medium and distributing it and cited to page 10, paragraph 133. Thus, according to the Examiner, it would have been obvious to one of ordinary skill in the art at the time of applicants' invention to have the selection system contained on the user terminal as suggested by Hanai. Applicants respectfully disagree.

More particularly, paragraph 133 cited by the Examiner only suggests that "the computer and the computer group may be functioned as the aforementioned system, or the entirety or the part of the program necessary for executing the above-mentioned processing may be recorded on the recording medium (ROM, floppy disk, hard disk, CD-ROM, MO, CD-R, flash memory and the like) to be distributed/circulated. A program for realizing the functions of the computer can be embodied in a carrier wave, transmitted from another computer apparatus (not illustrated) through the Internet, received by a communications device, and stored in a memory." Applicants respectfully submit that Hanai does not teach in paragraph 133 cited to by the Examiner and repeated above that "the selection system may be included in the user terminal" at all.

Turning to the claims pending in the instant application and using claim 1 by way of example, a selection operation is carried out by respective user terminal devices. The user terminal device transmits user information and selection information to the host computer. The user terminal device displays the selection

information onto the display section of the user terminal device only when a display permission is obtained by the user terminal device from the host computer. In the claims pending in the instant application, the host computer is not claimed to carry out the selection operation but rather the user terminal device is claimed to perform the selection operation. The host computer merely stores in a memory the user information and the selection information which have been transmitted from the user terminal device, and gives the user terminal device the display permission that permits the selection information to be displayed on the display section of the user terminal device.

Systems and software formed in accordance with the claims of the present application have many technical and commercial advantages. Significantly, the workload does not extremely increase on the host computer side when there are many user terminal devices, since the host computer does not itself carry out the selection operation. As set out in the claims, the user terminal devices execute the selection operations. In addition, since the user of the terminal devices must access the host computer in order to obtain the selection information, it appears to the user who operates the user terminal that the host computer carries out the selection operation and that the selection information is obtained from the host computer. Rather, as set out in the claims, permission to display the selection information is obtained from the host computer but, again, the user terminal device executes the selection operation.

A still further commercial and technical advantage of the system in the present application is that the host computer does not fail to obtain the information from the user whenever the selection information is displayed on the user terminal

device. Although the host computer does not carry out the selection operation itself, the host computer obtains the information from the user whenever the selection information is displayed on the user terminal device.

In contradistinction thereto, in the system of Hanai such as shown in Figure 1 thereof, a client terminal 31 communicates with a shopping server 15. The client terminal 31 corresponds to a user terminal device such as set out in the claims of the present application, while the shopping server 15 corresponds to the host computer device in the present application. A related item DB 257 is included in a shopping DB 25 on the shopping server 15 end. In the system of Hanai, a selection operation is carried out by the shopping service 15 which corresponds to the host computer of the present application, and the shopping server 15 of Hanai transmits the selection information to the client terminal 31. This process is described paragraphs [0093]-[0095] in the specification of Hanai. Thus, in the system of Hanai, as the number of client terminals 31 increases, a workload will accordingly increase on the shopping server 15 end. The first sentence in paragraph [0092] of Hanai indicates that the shopping server 15 executes the processing shown in Figure 9 thereof. In addition, the first sentence of paragraph [0095] of Hanai indicates that an HTML document is transmitted to the client terminal 31 to be displayed thereon such as indicated at S16 of Figure 9. Thus, Hanai specifically states that the shopping server 15 executes the selection operation steps set out in Figure 9, and, thereafter, transmits the selection information in the form of an html document transmitted to the client terminal 31 for display thereon.

The present application is aimed at solving the problem of an increased workload on a host computer when a plurality of user terminal devices are added

thereto. The host computer in the present application corresponds to the shopping server 15 in Hanai but, unlike the teaching of Hanai, the host computer in the present application does not carry out the selection operation but merely stores in a memory the user information and the selection information which have been transmitted from the user terminal device which corresponds to the client terminal 31 in Hanai, and then gives a display permission to the user terminal device. In accordance with the claims, the user terminal device executes the selection processing. Specifically, each of the plurality of user terminal devices includes means for carrying out a selection operation which selects the selection information and displays the selection information when the display permission is obtained from the host computer.

Overall, therefore, it is respectfully submitted that a reduction in the workload on a host computer end is a fundamental advantage of the invention of the present application. However, Hanai does not disclose or suggest this idea, namely, the aspect of reducing the workload on the host computer (shopping server 15) end. As noted above, the shopping server 15 performs the steps shown in Figure 9 and as described in paragraphs [0093]-[0095].

Each of independent claims 1-9 include the feature of a selection operation being performed by a user terminal device. Hanai teaches performing such operations on the a host computer. Accordingly, it is respectfully submitted that each of independent claims 1-9 are patentably distinct and unobvious over the art of record, including Hanai.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is

determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. NIS-16015.

Respectfully submitted,

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